

REMARKS

The present application included claims 10-27. Claims 10-15 have been withdrawn from consideration. Claims 16-27 have been amended to clarify aspects of the invention. New claims 28 and 29 have been added.

The title was objected to because it was allegedly not descriptive. The Applicant has amended the title, as set forth above, to overcome this objection.

Claim 16 was objected to because “it is unclear as to what a plurality of tracking system architectures is....” *See* July 8, 2010 Office Action at page 3. Claim 16 has been amended to clarify “tracking system coil architectures.” New claims 28 and 29 specify different types of such coil architectures. Thus, the Applicant respectfully requests reconsideration of this objection.

Claim 17 was objected to because “it is unclear as to what a processing scheme is....” *See id.* Processing schemes are discussed in the present application at, for example, ¶¶ [0048] and [0049]. For at least these reasons, the Applicant respectfully requests reconsideration of this objection.

Claims 26 and 27 were objected to because “it is vague as to whether the transmitter and receiver are the same as of claim 16 or different.” *See* July 8, 2010 Office Action at page 3. Claims 26 and 27 have been amended to render this objection moot.

Claims 16-27 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 2005/0024043 (“Govari”).

“A claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in **a single prior art reference.**” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). “The **identical** invention must be shown in as complete detail as is contained in ... the claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The Applicant notes that “[b]ecause the hallmark of anticipation is prior invention, the prior art reference – in order to anticipate under 35 U.S.C. § 102 – must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements ‘arranged as in the claim.’” *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 1548

(Fed. Cir. 1983).” *Net Moneyin v. Verisign*, 545 F.3d 1359, 1369 (Fed.Cir. 2008). “The test is thus more accurately understood to mean ‘arranged or combined in the same way as in the claim.’” *See id.* at 1370. “[I]t is not enough that the prior art reference discloses part of the claimed invention, which an ordinary artisan might supplement to make the whole, or that it includes multiple, distinct teachings that the artisan might somehow combine to achieve the claimed invention.” *See id.* at 1371.

With those principles in mind, claim 16 recites, in part, “a single tracker electronics sub-system for determining position of said at least one of a transmitter and a receiver using information from said at least one of a transmitter and a receiver, said tracker electronics sub-system operable with a plurality of tracking system coil architectures.”

On the other hand, Govari relates to “detecting the effect of an intruding field-responsive article in the field.” *See Govari* at [0002]. In Govari “each of the radiator coils is driven to radiate at multiple different frequencies, and the computation of the coordinates of the object is repeated for each of the different frequencies.” *See id.* at [0015].

Govari does indicate that “placement of the radiator coils, as well as their size and shape, will vary according to the application of the invention.” *See id.* at [0034]. Further, “different numbers, types and configurations of radiators and sensors may be used.” *See id.* at [0038].

However, Govari does not describe, teach, or suggest “a **single tracker electronics sub-system** for determining position of said at least one of a transmitter and a receiver using information from said at least one of a transmitter and a receiver, said tracker electronics sub-system **operable with a plurality of tracking system coil architectures**,” as recited in claim 16. Instead, Govari appears to be akin to that which is described in the Background of the present application at ¶ [0013]. Thus, for at least these reasons, the Applicant respectfully submits that Govari does not anticipate claims 16-29.

Additionally, Govari does not describe, teach, or suggest “wherein said tracker electronics sub-system simultaneously supports the plurality of tracking system coil architectures,” as recited in claim 18. For at least this additional reason, Govari does not anticipate claim 18.

Next, Govari does not describe, teach, or suggest “wherein said tracker electronics sub-system comprises modular, configurable tracker electronics,” as recited in claim 19. For at least this additional reason, Govari does not anticipate claim 19.

Further, it has not been shown that Govari describes, teaches, or suggests “wherein said tracker electronics sub-system stores waveforms in memory for the plurality of tracking system coil architectures,” as recited in claim 22. For at least this additional reason, Govari does not anticipate claim 22.

Additionally, it has not been shown that Govari describes, teaches, or suggests “wherein said tracker electronics sub-system generates waveforms on demand for at least one of the plurality of tracking system coil architectures,” as recited in claim 23. For at least this additional reason, Govari does not anticipate claim 23.

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicant will not address such statements at the present time. However, the Applicant expressly reserves the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicant respectfully requests reconsideration of the claim rejections for at least the reasons discussed above. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited to contact the undersigned attorney.

The Commissioner is authorized to charge any necessary fees (**no fee is believed due with respect to new claims 28 and 29, as the total number of claims does not exceed 20**), or credit any overpayment to the Deposit Account 07-0845.

Respectfully submitted,

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